

**SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF MONROE**

PORTFOLIO RECOVERY ASSOCIATES, LLC

Assignee of **HSBC BANK NEVADA, N.A.**

Plaintiff(s)

vs.

MARY E TOOHEY

Defendant(s)

Index No: **126293**

File #: **273885**

AFFIDAVIT OF FACTS

State of Virginia
City of Norfolk ss.

I, the undersigned, Yvette M. Stephen Custodian of Records, for Portfolio Recovery Associates, LLC hereby depose, affirm and state as follows:

1. I am competent to testify to the matters contained herein.
2. I am an authorized employee of Portfolio Recovery Associates, LLC, ("Account Assignee") which is doing business at Riverside Commerce Center, 120 Corporate Boulevard, Norfolk, Virginia. I am familiar with the policies and practices, as well as the books and records of Account Assignee with respect to the matters stated herein. This affidavit is based upon my personal knowledge of Account Assignee's record keeping system and my review of Account Assignee's records, including a review of the business records transferred to Account Assignee from **HSBC BANK NEVADA, N.A./ORCHARD BANK** ("Account Seller"), which have become a part of and have integrated into Account Assignee's business records, in the ordinary course of business.
3. According to the business records, which are maintained in the ordinary course of business, the account, and all proceeds of the account are now owned by the Account Assignee, all of the Account Seller's interest in such account having been sold, assigned and transferred by the Account Seller **9/27/2011**. Further, the Account Assignee has been assigned all of the Account Seller's power and authority to do and perform all acts necessary for the settlement, satisfaction, compromise, collection or adjustment of said account, and the Account Seller has retained no further interest in said account or the proceeds thereof, for any purpose whatsoever.
4. According to the records transferred to the Account Assignee from Account Seller, and maintained in the ordinary course of business by the Account Assignee, the date of last payment on this account was **07/15/2010**, there was due and payable from **MARY E TOOHEY** ("Debtor and Co-Debtor") to the Account Seller the sum of **\$ 923.05** with the respect of account number ending in **6814** as of **3/31/2011** with there being no known un-credited payments, counterclaims or offsets against the said debt as of the date of the sale.
5. According to the records of said Account Assignee, after all known payments, counterclaims, and/or setoffs occurring subsequent to the date of sale, there is currently due and owing:
Amount Due: **\$ 923.05**
Interest at the annual rate of: **9%**



Portfolio Recovery Associates, LLC

Yvette M. Stephen

By: Yvette M. Stephen Custodian of Records

Subscribed and sworn to before me on JAN 28 2013

Notary Public

